

MEMORANDUM CIRCULAR NO. 129

TO : ALL PHILIPPINE SEAFARERS EMPLOYED OR TO BE EMPLOYED ON SEAGOING SHIPS, COMPANIES, SHIPPING AGENCIES, MANNING AGENCIES, AND ALL CONCERNED.

SUBJECT : RULES ON THE ISSUANCE OF CERTIFICATES AND ENDORSEMENTS FOR ENTRANTS IN ACCORDANCE WITH THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS (STCW), 1978, AS AMENDED.

Pursuant to Section 12(e) of Executive Order No. 125, as amended, and in consonance with the Philippines' accession to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, through the Instrument of Accession dated 11 January 1984, and pursuant further to Section 2, Article 2 of the 1987 Philippine Constitution which states that the Philippines adopts the generally accepted principles of international law as part of the law of the land, the Executive Order No. 396 designating the Maritime Industry Authority (MARINA) as the lead agency in the implementation of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, as amended, the following rules in the issuance of Certificates and Endorsement are hereby prescribed:

I. OBJECTIVE:

To ensure that all Philippine seafarers are properly certificated, qualified, competent and medically fit for the proper performance of functions onboard seagoing ships in accordance with the Convention.

II. COVERAGE

These rules shall apply to all Philippine seafarers serving onboard seagoing ships who have commenced approved seagoing service, an approved education and training programme or an approved training course *on or after 01 June 1998 or School Year 1998-1999*, except those on board:

1. warships, naval auxiliaries or other ships owned or operated by a State and engaged only on governmental non-commercial service;
2. fishing vessels;
3. pleasure yachts not engaged in trade; or
4. wooden ships of primitive build.

These rules shall also apply to those existing Philippine seafarers applying for the renewal or revalidation or replacement of lost/damaged Certificates and Endorsements under the 1995 amendments.

III. DEFINITION OF TERMS

For purposes of this Circular:

1. Administration refers to the MARINA pursuant to the Implementing Rules and Regulations of Executive Order No. 369.
2. Convention refers to the International Convention of Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, as amended. Reference to the Convention constitutes at the same time, reference to the Annex and the STCW Code.
3. New Entrants refer to all Philippine seafarers serving onboard seagoing ships who commended approved seagoing service, an approved education and training programme or an approved training course on or after 01 June 1998 or School Year 1998-1999.
4. Existing Seafarers refer to all Philippine seafarers serving onboard seagoing ships who had commenced approved seagoing service, an approved education and training programme or an approved training course prior to 01 June 1998.
5. Certificate refers to the STCW Certificate issued by the Administration authorizing the holder to serve as stated in this document.
6. Fishing Vessel means a vessel used for catching fish, whales, seals, walrus or other living resources of the sea.
7. Seagoing Ship means a ship other than those which navigate exclusively in inland waters or in waters within, or closely adjacent to, sheltered waters or areas where port regulations apply.
8. Management Level means the level of responsibility associated with:
 - Serving as master, chief mate, chief engineer or second engineer officer onboard a seagoing ship; and
 - Ensuring that all functions within the designated area of responsibility are properly performed.
9. Operational Level means the responsibility associated with:

- Serving as officer-in-charge of a navigational watch or as designated duty engineer for periodically unmanned machinery spaces or as radio operator onboard a seagoing ships; and
 - Maintaining direct control over the performance of all functions within the designated area of responsibility in accordance with proper procedures and under direction of an individual serving in the management level for that area of responsibility in accordance with proper procedures and under the direction of an individual serving in the management level for that area of responsibility.
10. Support Level means the level of responsibility associated with performing assigned tasks, duties, and responsibilities onboard a seagoing ship under the direction of an individual serving in the operational or management level.

IV. GENERAL PRINCIPLES AND POLICIES

1. All Philippine seafarers serving onboard seagoing ships shall be properly certificated in accordance with this Circular.
2. Certificates issued for masters and officers shall be endorsed by the Administration in a form prescribed under the Convention.
3. All existing seafarers with Certificates and Endorsement issued under the 1995 Amendments are deemed to have satisfied the qualification requirements set forth herein.
4. Application for issuance of Certificates and Endorsements and other documents shall be personally filed by the applicant. The application may, however, be filed, on behalf of the seafarer, by the duly authorized representative of the company in cases of renewal, replacement of lost damaged Certificates, or promotion onboard.
5. Applications shall be filled at the MARINA Central Office (MCO) or at any of its authorized Maritime Regional Offices (MROs).
6. Certificates under Chapter IV (Radiocommunication and Radio Personnel), or V, (Special Training Requirements for Personnel on Certain Types of Ships, or VI (Emergency, Occupational Safety, Medical Care and Survival Functions) may be issued together with Certificates under Chapters II (Master and Deck Department) or III (Engine Department) of the Convention, or issued separately as appropriate.
7. The Administration hereby adopts the following procedural framework in the issuance of Certificates and Endorsements.

LEVEL	EDUCATION & TRAINING		SEAGOING SERVICE	COMPETENCY ASSESSMENT	CERTIFIED/ENDORSED (Whenever Applicable) By
	Requirements	Concerned Agency			
Support Level	Approved Education and Training – Rating’s Course in TESDA accredited maritime institutions	TESDA	Approved Seagoing experience of at least 2 months; or equivalent	Assessment of Competence in Accordance with Table A-II/4 and/or A-III/4 – by TESDA accredited maritime institutions or testing centers.	MARINA
OPERATIONAL LEVEL	Approved Education and Training Rating’s Course in TESDA accredited maritime institutions	CHED	<u>BSMT</u> Approved Seagoing Experience of at least 12 months + Training Record Book (TRB); or approved Seagoing Experience of at least 3 years <u>BSMarE</u> Approved Seagoing Experience of at least 6 months + TRB	Assessment of Competence in Accordance with relevant Table of Competence in Section A of the STCW Code – by CHED accredited maritime schools Board Exam by PRC	MARINA

MANAGEMENT LEVEL	Approved Education and Training – BSMT or BSMarE + Management Level Course in CHED accredited maritime schools.	CHED	Approved Seagoing Experience of at least 36 months; or 24 months; or 12 months as the case maybe (Ref. Chapters II & III, STCW 95)	Assessment of Competence in Accordance with relevant Table of Competence in Section A of the STCW Code – by CHED accredited maritime schools Board Exam by PRC	MARINA
SPECIALIZED TRAINING	Approved Education and Training (Specialized Short Modular IMO Required Courses	MTC	Approved Seagoing Experience as appropriate	Assessment of Competence in accordance with relevant Table of Competence in Section A of the STCW Code – by MTC accredited maritime training centers	MARINA

Abbreviations Used:

- TESDA** - Technical Education and Skills Development Authority
- CHED** - Commission on Higher Education
- MTC** - Maritime Training Council
- PRC** - Professional Regulation Commission
- BSMarE** - Bachelor of Science in Marine Eng'g,
- BSMT** - Bachelor of Science in Marine Transportation

V. MANDATORY MINIMUM QUALIFICATION REQUIREMENTS FOR CERTIFICATION

A. Master and Deck Department

1. Officers in Charge of a Navigational watch on ships of 500 gross tonnage or more.

Age	Not less than 18 years old	
Medical	Medically fit particularly good eyesight and hearing	
Education	Graduate of Bachelor of Science in Marine Transportation (BSMT)	
Seagoing Service	36 months approved seagoing service in the deck department which includes six months bridge watchkeeping duties; or 12 months approved apprenticeship/shipboard training documented in an approved Training Record Book which includes six months bridge watchkeeping duties.	
Examination/License	Must have passed the licensure examination	
	Third Mate	Second Mate
Regulation	II/I	

2. Masters and Chief Mates on Ships of 3,000 gross tonnage or more

Age	Not less than 20 years old	
Medical	Medically fit particularly good eyesight and hearing	
Education	Graduate of Management Level Course	
Seagoing Service	Master	Chief Mate
	36 months as officer in charge of a navigational watch; or 12 months as chief mate and 12 months as officer in charge of a navigational watch	12 months as officer in charge of a navigational watch.
Examination/License	Must have passed the licensure examination	
	Master	Chief Mate
Regulation	II/2, para 1 & 2	

3. Masters and Chief Mates on Ships of 500 and 3,000 gross tonnage

Age	Not less than 20 years old	
Medical	Medically fit particularly good eyesight and hearing	
Education	Graduate of Management Level Course	
Seagoing Service	Master	Chief Mate
	36 months as officer in charge of a navigational watch; or 12 months as chief mate and 12 months as officer in charge of a navigational watch	36 months approved seagoing service in the deck department which includes 6 months bridge watchkeeping duties on board ships of 500 gross tonnage or more; or 12 months approved apprenticeship/shipboard training on board ships of 500 gross tonnage or more documented in an approved Training Record Book which includes six months bridge watchkeeping duties.
Examination/License	Must have passed the licensure examination	
	Master	Chief Mate
Regulation	II/2, para 3 & 4	

4. Officers in Charge of a Navigational Watch on Ships of less than 500 gross tonnage not engaged on near-coastal voyages

Age	Not less than 18 years old	
Medical	Medically fit particularly good eyesight and hearing	
Education	Graduate of Bachelor of Science in Marine Transportation (BSMT)	
Seagoing Service	36 months approved seagoing service in the deck department which includes six months bridge watchkeeping duties; or 12 months approved apprenticeship/shipboard training documented in an approved Training Record Book which includes six months bridge watchkeeping duties.	
Examination/License	Must have passed the licensure examination	
	Third Mate	Second Mate
Regulation	II/3, para 1	

5. Masters on ships of less than 500 gross tonnage not engaged on near-coastal voyages.

Age	Not less than 20 years old	
Medical	Medically fit particularly good eyesight and hearing	
Education	Graduate of Management Level Course	
Seagoing Service	36 months as officer in charge of a navigational watch; or 12 months as chief mate and 12 months as officer in charge of a navigational watch.	

Examination/License	Must have passed the licensure examination
	Master
Regulation	II/3, para 2

6. Officers in Charge of a Navigational Watch on Seagoing Ships of less than 500 gross tonnage not engaged on near-coastal voyages

Age	Not less than 18 years old
Medical	Medically fit particularly good eyesight and hearing
Education	Graduate of Bachelor of Science in Marine Transportation (BSMT)
Seagoing Service	36 months approved seagoing service in the deck department which includes six months bridge watchkeeping duties; or 12 months approved apprenticeship/shipboard training documented in an approved Training Record Book which includes six months bridge watchkeeping duties.
Examination/License	Must have passed the licensure examination
	Third Mate Second Mate
Regulation	II/3, para 3 & 4

7. Masters on ships of less than 500 gross tonnage engaged on near-coastal voyages.

Age	Not less than 20 years old
Medical	Medically fit particularly good eyesight and hearing
Education	Graduate of Management Level Course
Seagoing Service	12 months as officer in charge of a navigational watch
Examination/License	Must have passed the licensure examination
Regulation	II/3, para 5 & 6

8. Ratings forming part of a navigational watch

Age	Not less than 16 years old
Medical	Medically fit particularly good eyesight and hearing
Education & Training	Must have undertaken the seafarers Deck Ratings Course including an approved seagoing service associated with navigational watchkeeping function of not less than 2 months or 6 months training and experience to include Basic Safety Course
Seagoing Service	As stated above
Examination/License	TESDA Certificate
Regulation	II/4

B. Engine Department

- Officers in charge of an Engineering watch in a manned engine-room or designated duty engineers in a periodically unmanned engine-room of 750 kw propulsion power or more.**

Age	Not less than 18 years old	
Medical	Medically fit particularly good eyesight and hearing	
Education & Training	Graduate of Bachelor of Science in Marine Engineering (BSMarE)	
Seagoing Service	6 months approved seagoing service in the engine department	
Examination/License	Must have passed the licensure examination	
	Fourth Engineer	Third Engineer
Regulation	III/1	

- Chief Engineer officers and second engineer officers on ships powered by main propulsion power or more**

Age	Not less than 20 years old	
Medical	Medically fit particularly good eyesight and hearing	
Education & Training	Graduate of Management Level Course	
Seagoing Service	Chief Engineer	Second Engineer
	36 months as second engineer officer of which not less than 12 months as an engineer officer in a position of responsibility while qualified to serve as second engineer	12 months approved seagoing service in the engine department as assistant engineer officer or engineer officer

Examination/License	Must have passed the licensure examination	
	Chief Marine Engineer	Second marine Engineer
Regulation	III/1	

3. Chief Engineer officers and second engineer officers on ships powered by main propulsion machinery of between 750 kw and 3,000 propulsion power

Age	Not less than 20 years old	
Medical	Medically fit particularly good eyesight and hearing	
Education & Training	Graduate of Management Level Course	
Seagoing Service	Chief Engineer	Second Engineer
	24 months as second engineer officer of which not less than 12 months as an engineer officer in a position of responsibility while qualified to serve as second engineer	12 months approved seagoing service in the engine department as assistant engineer officer or engineer officer
Examination/License	Must have passed the licensure examination	
	Chief Marine Engineer	Second marine Engineer
Regulation	III/3, para 1 & 2	

4. Chief Engineer officers on ships powered by main propulsion machinery of between 3,000 kw propulsion power

Age	Not less than 20 years old
Medical	Medically fit particularly good eyesight and hearing
Education	Graduate of Management Level Course
Seagoing Service	12 months approved seagoing service in the engine department as an assistant engineer officer or engineer officer on ships powered by main propulsion of 3,000 kw propulsion power or more
Examination/License	Must have passed the licensure examination /Second Marine engineer duly endorsed
Regulation	III/3 para 3

5. Ratings forming part of a watch in a manned engine-room or designated to perform duties in a periodically unmanned engine-room

Age	Not less than 16 years old
Medical	Medically fit particularly good eyesight and hearing
Education & Training	Must have undertaken the Seafarers Engine Ratings Course including an approved seagoing experience with watchkeeping function of 2 months in the engine department or 6 months training and experience to include Basic Safety Course
Seagoing Service	As stated above
Examination/License	TESDA Certificate
Regulation	III/4

C. Radio Communication and Radio Personnel

1. Radio personnel on ships not required to comply with the provisions of the GMDSS

Age	Not less than 18 years old
Medical	Medically fit particularly good eyesight and hearing
Education & Training	Must have undertaken the following courses: 1. Radio Operator's Course; and 2. Basic Safety Course
Seagoing Service	Not required to comply with the provisions of GMDSS
Examination/License	Ship's Restricted Radio Operator's Certificate
Regulation	IV/1

2. GMDSS Radio Personnel

Age	Not less than 18 years old
Medical	Medically fit particularly good eyesight and hearing
Education & Training	3. Must have undertaken the GMDSS Course
Seagoing Service	Not required to comply with the provisions of GMDSS
Examination/License	General Operator's Certificate
Regulation	IV/2

D. Special Training Requirements for the Training and Qualification of Masters, Officers and Ratings on Tankers

Requirements	Officers in Charge and Deck/Engine Ratings	Master, Chief Engineer Officer, Chief Mate, Second Engineer Officer and any person with immediate responsibility for loading, discharging and care in transit (pumpman/cargo engineers)
Training/Seagoing Service	<ol style="list-style-type: none"> 1. Shore-based fire-fighting and 2. General Tanker Familiarization Course; or 2.1 at least three months approved seagoing service on tankers; or 2.2 at least one month supervised seagoing service provided that: <ol style="list-style-type: none"> 2.2.1 the tanker is less than 3,000 gross tonnage 2.2.2 the duration of each voyage on which the tanker is engaged during the period does not exceed 72 hours; and 2.2.3 the operational characteristics of the tanker and the number of the voyages and loading and discharging operations completed during the period, allow the same level of knowledge and experience to be acquired. 	<p>Relevant Specialized Training Program on Oil Tanker, Chemical Tanker or Liquefied Gas Tanker</p> <ol style="list-style-type: none"> 1. Shore-based fire-fighting; and 2. General tanker Familiarization; or 2.1 at least three months approved seagoing service on tankers; and 3. Relevant specialized training program on oil tanker, chemical tanker or liquefied gas tanker. 4. Must have at least three months approved on oil tanker on which they serve.
Regulation	Reg. V/1, para 1	Reg V/1, para 2

E. SPECIAL TRAINING REQUIREMENTS FOR THE QUALIFICATION OF MASTERS, OFFICERS, RATINGS AND OTHER PERSONNEL ON RO-RO PASSENGER SHIPS

POSITION	TRAINING	REGULATION
Master, officers, and other personnel	1. Crowd Management	V/2, para 4
Masters, officers, and other personnel	2. Familiarization	V/2, para 5
Personnel providing direct service to passengers in passengers spaces	3. Safety Training	V/2, para 6
Masters, officers, and other personnel	4. Passenger Safety, Cargo Safety and Hull Integrity	V/2, para 7
Masters, officers, and other personnel	5. Crisis Management and Human Behavior	V/2, para 8

F. EMERGENCY, OCCUPATIONAL SAFETY, MEDICAL CARE AND SURVIVAL FUNCTIONS

	Masters, Officers and Deck/Engine ratings
Training	1. Survival craft and rescue boats; and 2. Fast rescue boats. (if applicable)
Regulation	VI/2, para 2

G. ADDITIONAL MANDATORY TRAINING REQUIREMENTS

POSITION	TRAINING COURSE	REGULATION
All Seafarers	Basic safety	VI/1
Masters and Chief Mates	Advanced Fire-fighting Medical Care GMDSS	VI/3 VI/4, para 2 IV/2
Officer in Charge	Advanced Fire-fighting Medical Care GMDSS	VI/1 VI/4, par 1 IV/2
Chief Eng'r. & 2 nd Eng'r.	Advanced Fire-Fighting Medical First Aid	VI/3 VI/4 para 1

VI. DOCUMENTARY REQUIREMENTS

A. NEW ¹	B. RENEWAL REVALIDATION	C. REPLACEMENT OF LOST / DAMAGED CERTIFICATE
1. Duly accomplished application form	1. Duly accomplished application form	1. Duly accomplished application form
2. Valid PRC and/or NTC Certificates	2. Previously issued certificate	2. Affidavit
3. Photocopy of medical certificate	3. Photocopy of medical certificate ²	3. Proof of previously issued certificate
4. SIRB – one photocopy each of pages one and two and all other pages reflecting sea service	4. Photocopy of SIRB reflecting sea service with at least one year within the last five years	
5. Training certificates as appropriate		

¹ The original copies of pertinent documents or their authenticated copies must be available for verification purposes.

² Medical certificate must have been issued within the current year and shall cover the following:

1. Complete physical examination
2. Chest x-ray using plates not smaller than 11”x14”
3. Complete blood count (CBC) including the hemoglobin determination
4. Blood typing
5. Urinalysis
6. Stool Examination
7. Dental Examination
8. Psychological Examination
9. Visual acuity with emphasis on color perception:
 - a. For deck officers and ratings performing watchkeeping duties- Ishihara test: and
 - b. For engine officers and ratings with navigational watchkeeping duties in the Engine room – Primary color test
10. Hearing and audiometry tests for all officers, deck engine watchkeepers and Radio Officers.
11. Speech clarity test for radio officers
12. Test for HIV antibodies, hepatitis- B antigen or VDRL when required by a country or destination

VII. VALIDITY OF CERTIFICATE

The Certificate and Endorsement shall be valid for five(5) years from date of issuance.

Renewal/Revalidation of Certificate and Endorsement shall be in compliance with Regulation I/11 of the Convention.

VIII. SCHEDULE OF FEES

1. New Issuance of Certificate/Renewal Revalidation
 - a. Regular processing - P500.00 per issuance
 - b. Expedite Processing - P700.00 per issuance
2. Replacement of Lost/
Damage Certificate - P600.00 per certificate
3. Authentication of Certificates/
Documents - P25.00 per certificate/type
of document

IX. ADMINISTRATIVE PENALTIES/MEASURES

1. Any seafarer who shall go onboard a seagoing ship, and/or a shipping company/manning/shipping agency which will allow a seafarer to go onboard/join a seagoing ship without holding a Certificate appropriate to his function as required by the Convention shall be held jointly and severally liable as follows:

	Seafarer	Manning Agency	Shipping Company
First Violation	P2000.00	P10,000.00	P15,000.00
Second Violation	P3,000.00	P15,000.00	P25,000.00
Third and Succeeding Violation	P5,000.00	P20,000.00	P50,000.00

2. A seafarer who shall misrepresent, or submit any false statement, fraudulent or tampered or irregularly issued licenses in the application for the issuance of Certificate shall be liable to pay the following fines:

Position	First Violation	Second Violation	Third & Succeeding Violation
Master Mariner	P7,000.00	P14,000.00	P28,000.00
Chief Engineer	P6,000.00	P12,000.00	P20,000.00

Chief Mate / Third Engineer	P5,000.00	P10,000.00	P20,000.00
Second Mate / Third Engineer / Radio Officer	P4,000.00	P8,000.00	P16,000.00
Ratings and Others	P2,000.00	P4,000.00	P8,000.00

- 2.1 Penalties for third and Succeeding violations shall include recommendations to appropriate government agency for suspension or disqualification to practice profession.
3. Any seafarer/company found to have secured or in possession of fake or fraudulent certificate or has obtained said certificate by fraud, shall be liable to pay the aforecited fines and shall be subject to criminal prosecution under the Revised Penal Code.
 4. Shipowners/operators, manning shipping agencies requesting the issuance of Certificates for and in behalf of seafarers shall be liable for the false statement or misrepresentation, fraudulent or spurious or tampered licenses, or documents submitted were said shipowners/operators, manning /shipping agencies or any of their employees or liaison officers/messengers have consented or participated in the misrepresentation, or in a tampering/securing the questioned licenses, and or documents from any source:

First Violation	P25,000.00
Second Violation	P30,000.00
Third and Succeeding Violations	P100,000.00 and recommendation for cancellation of the company's license issued by appropriate government agency

- 4.1 In addition to the foregoing fines, the responsible official of the company or agency and employee, liaison officer/messenger shall be subject to criminal prosecution under the Revised Penal Code.
- 4.2 The above penalties shall not prejudice other actions taken or to be taken by other concerned agencies/entities.
5. Shipping companies, shipping agencies and manning agencies shall be required to pause or cause the posting of this Circular in conspicuous places in their offices and onboard vessels with Philippine seafarers employed.

X. REPEALING CLAUSE

Any circular, rules issuance's, or any part thereof inconsistent herewith are hereby repealed.

XI. EFFECTIVITY

This Memorandum Circular shall take effect immediately after its publication once in a newspaper of general circulation.

BY THE AUTHORITY OF THE MARINA BOARD:

(SGD) AGUSTIN R. BENGZON
Administrator

SECRETARY'S CERTIFICATE

This is to certify that Memorandum Circular No. 129 has been approved by the MARINA through Board Resolution No. 98-006 dated July 1998.

ATTY. GLORIA J. VICTORIA –BANAS
Acting Corporate Board Secretary

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